

**New Rochelle Police Department
Manual of Procedure**

Subject: **Uniform Traffic Ticket and Enforcement Policy**
Chapter: Two
Article: 2.03

Page 1 of 3

Date Effective: 01 Jan 92
Date Revised: 16 Mar 98

POLICY: It is the policy of this Department to strictly enforce the Vehicle and Traffic Law.

DEFINITION

Uniform Traffic Ticket: The Uniform Traffic Ticket is issued by the State of New York and conforms to standards set by the Department of Motor Vehicles. The Uniform Traffic Ticket, commonly referred to as a "Summons", is issued in books of twenty (20). Each summons contains the original plus four copies. The motorist's copy (Yellow) is the fourth copy and will be issued to the motorist. All other copies will be placed in the summons safe at the police desk at the end of the tour.

All coded information required on the summons is readily found on the cardboard cover sheet of the summons book. Listed on the backside of the cover sheet is a log individually listing summons by date of issuance. The Department of Motor Vehicles does not mandate that this log be filled out, thus its use is optional.

PROCEDURE

1. Books of summonses will be dispensed by the Records Unit, Monday through Friday from 0830 to 1630 hours. It will be the responsibility of each individual officer to be properly equipped with a sufficient supply of summonses on each tour. Officers are responsible for verifying that they have each summons assigned to them.
2. Summonses will be written according to the following guidelines:
 - 2.1 A ball-point pen with black or dark blue ink will be used to fill out the summons
 - 2.2 Officers will legibly print all required information on the face of the summons
 - 2.3 Summonses will be accurately and completely filled out; (Improperly written summonses are returned by the Department of Motor Vehicles)
 - 2.4 The verbal description of the violation must coincide with the statutory section and subsection of the Vehicle and Traffic Law cited
3. When conducting a traffic stop, officers will conduct themselves in the following manner:
 - 3.1 A traffic stop will only be made when the officer reasonably suspects that the motorist has committed a traffic offense. Emergency lights will be activated, and, if necessary to attract the violator's attention, the siren will be activated. In instances where the officer feels his safety is at risk, he may make initial verbal contact with the operator by using the PA system. (Use of the PA system should not be used for routine traffic stops.)
 - 3.2 Whenever an officer makes a vehicle stop, he will notify the police dispatcher and advise him of his location, the reason for the stop, and the plate number of the vehicle stopped. This notification must be made prior to exiting the police vehicle.
 - 3.3 After exiting the police vehicle, the officer should carefully approach the violator's vehicle. The officer should stay on the driver's side of the vehicle and not walk between his vehicle and the violator's vehicle. A visual inspection of the rear seat of the violator's vehicle should be made before approaching the operator. The officer should then take up a position at the rear of the driver's door post and initiate contact with the vehicle operator.

**New Rochelle Police Department
Manual of Procedure**

Subject: Uniform Traffic Ticket and Enforcement Policy

Chapter: Two

Article: 2.03

Page 2 of 3

Date Effective: 01 Jan 92

Date Revised: 16 Mar 98

- 3.4 The officer will advise the vehicle operator of the reason for the stop and ask him for his driver's license, registration, and insurance card. The officer will ask the violator to hand him the requested documents and will not reach into the vehicle to accept them. (For safety reasons, it is important to keep the vehicle operator and any passengers at a physical disadvantage.)
- 3.5 An officer will be courteous and professional in his conversation with the violator. He will not scold or lecture the violator. Verbal Judo will be employed by the officer. The objective of traffic enforcement is to improve the driving performance of the motoring public. The focus of the stop should be the offense committed by the violator. Conduct on the officer's part that is less than professional suggests that the offense committed was not against the Vehicle and Traffic Law but was a personal affront to the officer and, as such, may lead the violator to feel that he is a victim and not an offender.
- 3.6 When a ticket is issued, the officer will explain the violation to the motorist and will tell the motorist when the ticket is returnable to the court. The motorist will also be given a schedule of fines.
- 3.7 After completing the stop the officer should not leave the scene until the violator has left.
4. Unlicensed motorists who cannot provide positive identification will be arrested and required to post bail.
5. Motorists who commit misdemeanors defined in the VTL will be arrested and required to post a minimum bail of \$100.00. In those situations where an arrest is not practical (i.e. motorist hospitalized) or there are extenuating circumstances, a supervisor may authorize the issuance of a summons in lieu of an arrest. This exception does not apply to DWI or DWAI offenses.
6. Whenever a motorist is arrested and charged with a VTL offense, the arrest number will be recorded in the upper right hand corner of the summons on the line above the box for the First Name. This number will be preceded by "NRPD."
7. Officers will only check the box marked commercial vehicle located next to the date of birth box if the vehicle is a commercial vehicle as defined in (VTL 501).
8. Officers will complete the Section marked "Officer's Notes" prior to turning in the summons. Accurate notes will assist the officer who may have to later testify at trial.
9. The minimum return date for a summons other than DWI or DWAI is two weeks.
10. No motorist will be allowed to continue to drive a motor vehicle once the officer determines that the motorist is not properly licensed to drive or properly licensed to operate the class of vehicle the motorist is operating. In this situation the vehicle will either be released to a properly licensed driver or impounded.
11. Officers must record the six digit US Department of Transportation number (USDOT) of the responsible motor carrier responsible for the vehicle's load on tickets issued to drivers of commercial motor vehicles. A space is provided to record this number on the left hand side of the uniform traffic ticket adjacent to the affirmation. If an officer is unable to locate the USDOT# he will enter the default number of six zeroes. The USDOT# can be located on the side of the vehicle, rental/lease agreements, driver's log, or shipping papers.

**New Rochelle Police Department
Manual of Procedure**

Subject: Uniform Traffic Ticket and Enforcement Policy

Chapter: Two

Date Effective: 01 Jan 92

Article: 2.03

Page 3 of 3

Date Revised: 16 Mar 98

12. If a motorist is issued a summons for a felony VTL charge, the officer will not issue the motorist copy. Instead he will submit all copies of the summons to the court and file a felony complaint.
13. If an officer voids a summons, he will advise his supervisor and submit the voided summons along with a PD 37A explaining the reason for the void to the Special Operations Unit commander or in his absence, the traffic sergeant. The PD37A will be co-signed by the officer's supervisor.
14. When a plainclothes officer in an unmarked vehicle effects a routine traffic stop, he will request that a uniformed officer in a marked radio car respond to the scene. This will eliminate any questions about the identity of a plain clothes officer.
15. DWI checkpoints will not be conducted without the authorization of the tour commander, PACT commander or Special Operations Unit supervisors. A supervisor will be present at all times during the checkpoint. Cars will not be stopped in a random manner. A predetermined method, every third car for example, will be used.